

Committee Room,
Austin, Texas, August 1, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bill No. 4 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,
Austin, Texas, August 1, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir, your Committee on Judicial Districts, to whom was referred

S. B. No. 8. A bill to be entitled "An Act abolishing the Criminal District Court of Bowie County, Texas; repealing Chapter 28 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature and Chapter 8, of the General Laws of the Second, Called Session of the Thirty-sixth Legislature, which Acts create and relate to the Criminal District Court of Bowie County; reviving any laws repealed by said Statutes not otherwise repealed; restoring the jurisdiction of other courts of Bowie County to conform to the purposes of this Act; and making this Act effective July 1, 1922."

Have had same under consideration, and I am directed to report same back to the Senate with the recommendation that it do pass and be not printed.

RICHARDS, Chairman.

Petitions and Memorials.

Senator Burkett offered and had read a petition, numerously signed, by citizens of Strawn, Texas, urging amendment to Motor Truck Bill that was passed at Regular Session of the Thirty-seventh Legislature.

Senator Witt offered and had read a petition from Ex-Students Association of Waco, protesting against action of lower House in cutting salaries of University professors. This was referred to Committee on Finance.

The Chair, Lieutenant Governor Davidson, offered and had read a petition adopted by the Board of Directors of the San Antonio Chamber of Commerce, protesting against any further taxation of the people for the maintenance of the State Government. Also one from the University Club of Wichita Falls endorsing Educational Appropria-

tion Bill as presented by Finance Committee of the House and Senate, and deploring action of lower House in cutting this appropriation. Also a telegram from the Dallas Rotary Club, of 260 representative business and professional men opposing any reduction in appropriation made by Finance Committee for salaries for faculty and teachers in University and State schools.

Senator Buchanan offered and had read a petition from Trustees of the Elza School, dated Hamilton, Texas, urging adequate appropriation by this Legislature for the aid of rural schools. This was referred to the Committee on Finance.

The Chair (Lieutenant Governor Davidson), laid before the Senate a communication from the Ex-Students' Association of Brown County, protesting against any reduction in appropriation for University of Texas.

Senator Bailey offered and had read a petition signed by citizens of Jackson County asking that the time for enforcing the Tick Eradication Law in Zone No. 3 be extended to January 1, 1923. Referred to the Committee on Agriculture.

TWELFTH DAY.

Senate Chamber,
Austin, Texas,

Tuesday, August 2, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Burkett.	Page.
Clark.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Wood.
Hall.	Woods.
	Absent.
Cousins.	Witt.
	Absent—Excused.
Carlock.	

Prayer by Rev. Atticus Webb.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Murphy.

Excused.

Senator Witt for today, on motion of Senator Dorrough.

See Appendix for Committee Reports and Petitions.

Morning call concluded.

Senate Concurrent Resolution No. 5.

The Chair laid before the Senate,

S. C. R. No. 5, Providing for extending time for payment of interest on public lands, the authority being given to the Commissioner of the General Land Office.

The committee report was adopted.

Senate Bill No. 18.

Senator Davidson called from the table, and the Chair laid before the Senate on second reading,

S. B. No. 18, A bill to be entitled "An Act to provide a systematic method of road maintenance; the creation of a patrol system for the care and upkeep of the public roads and highways of the State. Providing for a budget system for the road and bridge fund of the counties, and providing for its proper safeguard and expenditure. Providing for the office of County Road Superintendent and defining his duties and powers, empowering him to work county convicts upon the public roads. Authorizing and directing the Commissioners' Court to provide for needs and equipments of the road superintendent and patrolmen so employed. Prescribing the duties and liabilities of all persons subject to road duty, and fixing penalties for the violation or neglect of such duties so imposed. Repealing all laws in conflict herewith and declaring an emergency."

The bill was read second time and passed to engrossment.

Pending discussion, Senator Bledsoe moved to reconsider the vote by which the bill was ordered engrossed, which motion to reconsider was adopted.

Action recurred on the engrossment of the bill, and,

(Senator Rogers in the Chair.)

Senator Lewis offered the following amendment:

Amend S. B. No. 18, Sec. 39, by adding thereto the following: Provided that none of the provisions of this Act apply to the counties of Grimes, Madison, Leon, Walker, Polk, San Jacinto, Montgomery, Grayson, Cook, Lamar, Fannin, San Patricio, Nueces, Kleberg, Kenedy, Willacy, Cameron, Hidalgo, Starr, Zapata, Webb, La Salle, Dimmitt, McMullen, Duval, Jim Wells, Jim Hogg, Brooks, Wharton, Matagorda, Brazoria, Galveston, Chambers, Aransas, Bee, Karnes, Wilson, Atascosa, Live Oak, DeWitt, Victoria, Goliad, Refugio, Calhoun, Jackson, Frio, Williamson, Travis, Burnett, Lampasas, Brewster, Coke, Crockett, Culbertson, Edwards, El Paso, Hudspeth, Irion, Jeff Davis, Kimble, Kinney, Mason, Maverick, Medina, Menard, Pecos, Presidio, Reagan, Reeves, Schleicher, Sterling, Sutton, Terrell, Tom Green, Uvalde, Val Verde, Zavala, Hays, Caldwell, Comal, Blanco, Guadalupe, Gonzales.

The following proposed amendment was offered by Senator Woods:

Amend S. B. No. 18 as follows: Insert in line 16, page 17, Sec. 39, after the period: "The provisions of this Act shall apply to and be in effect in those counties only whose Commissioners Court shall adopt its term by affirmative action at a regular term of the Commissioners Court and made a matter of record in its minutes."

Pending discussion Senator Davidson moved that the bill, and amendments lie on the table until the conclusion of the morning call tomorrow, which motion was adopted.

Senate Bill No. 12.

The Chair laid before the Senate on second reading,

S. B. No. 12, A bill to be entitled "An Act amending Chapter 2, of Title 98, Revised Civil Statutes of the State of Texas of 1911, by adding thereto Articles 6057a and 6057b providing that any district, county or precinct officer guilty of wilfully and corruptly failing to discharge his official duties may be removed from office by suit filed by the Attorney General, and providing that it shall be the duty of the Attorney General to file such suit in the name of the State of Texas in any District Court in the Supreme Judicial District in which the officer sought to be removed resides, after having

given such officer the right to be heard before filing suit; and further providing for the method of citation and procedure with reference to such removal."

The bill was laid on the table subject to call.

Senate Bill No. 26.

The Chair laid before the Senate, on second reading,

S. B. No. 26, A bill to be entitled "An Act to close West Sycamore Street in the City of Denton, Texas, between Avenues A and B, upon the concurrence of the city Commission or the governing body of said city, dedicating the same to the benefit of the North Texas State Normal College, and declaring an emergency."

Senator Williams moved to suspend the Senate rule requiring committee reports to lie over for one day, which motion was adopted.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Williams, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 26 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Clark.	Page.
Darwin.	Parr.
Davidson.	Richards.
Dorough.	Rogers.
Doyle.	Suiter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Willis.
Hall.	Wood.

Absent.

Burkett.	Woods.
Cousins.	

Absent—Excused.

Carlock.	Witt.
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The bill was read third time and passed finally, by the following vote:

8—Senate.

Yeas—25.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Clark.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Wood.
Hall.	

Absent.

Burkett.	Page.
Cousins.	Woods.

Absent—Excused.

Carlock.	Witt.
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Senate Bill No. 8.

The Chair laid before the Senate, on second reading,

S. B. No. 8, A bill to be entitled "An Act abolishing the Criminal District Court of Bowie County, Texas; repealing Chapter 28 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature and Chapter 8 of the General Laws of the Second Called Session of the Thirty-sixth Legislature, which Acts create and relate to the Criminal District Court of Bowie County; reviving any laws repealed by said Statutes not otherwise repealed; restoring the jurisdiction of other courts of Bowie County to conform to the purpose of this Act; and making this Act effective July 1, 1922."

The committee report was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 30.

The Chair laid before the Senate, on second reading,

S. B. No. 30, A bill to be entitled "An Act to amend Section 1, of Chapter 2, General and Special Laws of the First Called Session of the Thirty-fifth Legislature, re-defining the boundaries of the Columbus Independent School District; the said amendment providing for re-defining the boundaries of said district and

providing for the extension of said district and the annexation of adjacent territory thereto and providing that the maintenance school tax now being levied, assessed and collected in said district as same existed immediately prior to the passage of this Act, shall not be abrogated by the passage of same; and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 30 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Clark.	Page.
Darwin.	Parr.
Davidson.	Richards.
Dorough.	Rogers.
Doyle.	Sulter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Willis.
Hall.	Wood.

Absent.

Burkett.	Woods.
Cousins.	

Absent—Excused.

Carlock.	Witt.
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(Senator Page in the Chair.)

The bill was read third time and passed finally by the following vote:

Yeas—26.

Bailey.	Fairchild.
Baugh.	Floyd.
Bledsoe.	Hall.
Buchanan.	Hertzberg.
Clark.	Lewis.
Darwin.	McMillin.
Davidson.	Murphy.
Dorough.	Page.
Doyle.	Parr.
Dudley.	Richards.

Rogers.	Williams.
Sulter.	Willis.
Watts.	Wood.

Absent.

Burkett.	Woods.
Cousins.	

Absent—Excused.

Carlock.	Witt.
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Senate Bill No. 31.

The Chair laid before the Senate, on second reading,

S. B. No. 31, A bill to be entitled "An Act creating the Altair Independent School District in Colorado County, Texas, and defining its boundaries, and providing for the election of a board of trustees to manage and control the public free schools within said district, naming the fiscal year as to taxes, investing said district with all the powers, rights and duties of independent school districts formed for free school purposes only, and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Clark, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 31 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Clark.	Page.
Darwin.	Parr.
Davidson.	Richards.
Dorough.	Rogers.
Doyle.	Sulter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Willis.
Hall.	Wood.

Absent.

Burkett.	Woods.
Cousins.	

Absent—Excused.

Carlock. Witt.

The bill was read third time and passed finally by the following vote:

Yeas—26.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Murphy.
Clark.	Page.
Darwin.	Parr.
Davidson.	Richards.
Dorough.	Rogers.
Doyle.	Suiter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Willis.
Hall.	Wood.

Absent.

Burkett. Woods.
Cousins.

Absent—Excused.

Carlock. Witt.

Senate Bill No. 32.

The Chair laid before the Senate, on second reading,

S. B. No. 32, A bill to be entitled "An Act creating the Tehuacana Independent School District, in Limestone County, Texas; defining the boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, and privileges and duties now conferred and imposed by the General Laws of the State upon independent School districts and the boards of trustees thereof; providing for the election of trustees, and their title and rights to school property; providing for changes in the boundary lines of said district; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect; providing for the raising of revenue, issuing of bonds for building and maintaining school houses, etc., and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Doyle, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 32, put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Clark.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Burkett. Cousins.

Absent—Excused.

Carlock. Witt.

The bill was read third time and passed finally, by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Clark.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Burkett. Cousins.

Absent.

Carlock. Witt.

Senate Bill No. 33.

The Chair laid before the Senate, on second reading,

S. B. No. 33, A bill to be entitled

"An Act creating the Mexia Independent School District in Limestone County, Texas; defining its boundaries, etc., and divesting the City of Mexia of the control of its public school property and vesting the same in said independent school district, etc., and declaring an emergency."

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Doyle, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 33 put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Clark.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Burkett. Cousins.

Absent—Excused.

Carlock. Witt.

The bill was read third time and passed finally by the following vote:

Yeas—28.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Clark.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Burkett. Cousins.

Absent—Excused.

Carlock. Witt.

Simple Resolution No. 21.

Whereas, The House of Representatives has passed the following resolution:

Whereas, Miss Lillian Seller, who for the past four years has been an entertainer with the Redpath Lyceum and Chautauqua Bureau, giving programs in every state in the United States; and

Whereas, Miss Seller is visiting in Austin and has kindly consented to entertain the Legislature of Texas with a miscellaneous program of readings and songs on August 3rd; and

Whereas, The House of Representatives has invited Miss Seller to entertain the members of the House and the Senate, Wednesday afternoon, in the House of Representatives, from 2.00 until 2:45; and

Whereas, the House of Representatives extends an invitation to the Senate to attend and be present at such entertainment; therefore, be it

Resolved, That the Senate do accept such invitation and be present, Wednesday afternoon, at 2:00 o'clock.

BUCHANAN.

BAILEY.

DAVIDSON.

The resolution was read and adopted.

Bills and Resolutions.

(By unanimous consent.)

By Senator Hertzberg:

S. B. No. 38, A bill to be entitled "An Act to amend Article 1610, Title 15, Chapter 28, Penal Code of the State of Texas, relating to the punishment for excessive whipping of refractory prisoners; prohibiting the use of chains in the penitentiary system of Texas, and limiting the use of the strap to certain offenses committed by prisoners, providing how same shall be applied; fixing the penalty and declaring an emergency."

Read first time and referred to Committee on Penitentiaries.

By Senator Parr:

S. B. No. 39, A bill to be entitled "An Act to prescribe the time and fix the terms of holding the district courts in the counties comprising the Seventy-ninth Judicial District of Texas; and to conform all writs and process from such courts to such changes and to make all process issued or served before this Act takes effect, including recognizances and bonds, returnable to the terms of courts in said districts as herein fixed and to validate the summoning of grand and petit jurors therein; to repeal Section 2 of Chapter 48 of the laws of the Thirty-fourth Legislature passed and approved March 12, 1915, relating to the time of holding district courts in said district and repealing Chapter 8 of the laws of the Thirty-seventh Legislature passed and approved February 2, 1921, relating to the time of holding courts in said district and repealing all laws in conflict with this Act and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

Recess.

On motion of Senator Clark the Senate, at 11:15 o'clock a. m., recessed until 3 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Davidson.

Message from the Governor.

Governor's Office,
Austin, Texas, August 2, 1921.
To the Members of the Texas Senate and House of Representatives.

Gentlemen: I hereby submit to you and recommend legislative action on the following subjects:

First. On the recommendation of practically all the American Legion members of the Legislature, I submit for your consideration and legislation the law passed at the Regular Session of this Legislature creating the American Legion Memorial Sanatorium of Texas at Kerrville, Texas, in order that said bill may be amended authorizing the State Board of Control to contract with the Federal Government looking to the leasing of said Sanatorium plant to the Federal Govern-

ment, in order that said Federal Government may carry out the purposes set forth in the original bill creating said institution, and that said bill may be thus so amended as to care for now and hereafter in the most effective manner possible, all the ex-soldiers of Texas who suffer with tuberculosis.

Second. To make necessary appropriations for the support and maintenance of the penitentiary system of the State for the coming fiscal year. In connection with this subject, for your information, I attach hereto and mark "Exhibit A" a financial statement submitted to me by the chairman of the Board of Prison Commissioners.

Third. An Act to establish a legal rate for the publication of all proclamations, advertising, or notices of all kinds required by law to be published in newspapers in this State, providing for filing by newspapers with the Board of Control at Austin, Texas, a sworn statement of their regular rate for advertising, which is to be open to inspection, and repealing conflicting laws.

Fourth. To amend Section 28, Chapter 118, General Laws of the Thirty-second Legislature, Regular Session, 1911, entitled "An Act to authorize the Commissioners Courts of the several counties of Texas to create and establish drainage districts, to construct canals, drains and ditches," etc.

Fifth. To change the statute relating to the manner of the disposition of oil and gas that may be in any of the State's unsurveyed Free School Land, by either providing for the method of acquiring the oil and gas that may be therein, or amending the present statute which provides for the relinquishment of a certain portion of the oil and gas that may be in the surveyed School and Asylum Land by adding thereto the unsurveyed Public Free School Land with such relinquishments and reservations as may be for the best interests of the public.

Sixth. To amend Chapter 145, General Laws of the State of Texas passed by the Thirty-sixth Legislature at its Regular Session, which Chapter was "An Act to amend Chapter 1 of Title 44 of the Revised Civil Statutes of the State of Texas, 1911, and to provide the manner in which State funds shall be kept and deposited; to define the State Depository Board and its powers, and what banks may become

depositories, and the manner and means of selecting and for the qualification of such State depositories, providing for the distribution of such

funds among such depositories and repealing all laws in conflict."

Yours sincerely,

PAT M. NEFF, Governor.

"EXHIBIT A."

ESTIMATED CASH REQUIREMENTS OF TEXAS PRISON SYSTEM FOR
PERIOD OF FOURTEEN MONTHS, JULY 1, 1921 TO
SEPTEMBER 1, 1922.

Estimated Expenditures:

Cost of operation for fourteen months, based on cost for first six months of 1921, monthly cost of operation being \$85,143.29.....		\$1,192,006.06
Land notes maturing during above period.....	\$ 130,370.00	
Interest on land notes.....	5,172.20	135,542.20
Note for livestock maturing.....	\$ 39,000.00	
One year's interest on same.....	2,340.00	41,340.00
Cash rental on leased land due December 31.....		1,104.50
Note maturing, executed in part payment of State Cotton Oil Mill	\$ 31,250.00	
Interest on same one year.....	1,875.00	33,125.00
Contingent liability for balance of purchase price on portion of Blue Ridge Farm, payable upon execution of proper conveyance.....		40,000.00
Total estimated expenditures.....		\$1,443,117.76

Estimated Receipts:

Cash on hand July 1, 1921....	\$ 194,848.85	
Estimated cotton production:		
2750 bales @ \$50.00.....	\$ 137,500.00	
1375 tons seed @ \$18.00.....	24,750.00	162,250.00
Estimated sugar cane production:		
Cane to be sold under contract..	\$ 81,000.00	
Cane to be milled.....	43,500.00	124,500.00
Estimated sales of second sugars and blackstrap molasses in process of manufacture		16,000.00
Estimated sales of cattle and hogs above consumption by forces.....		12,000.00
Walker County Road Warrants (on hand):		
Estimated present selling price..		24,000.00
Estimated amount to be realized on notes and accounts receivable....		30,000.00
Total estimated receipts.....		\$ 563,598.85
Appropriation required to operate and maintain prison system to September 1, 1922..		\$ 879,518.91

Above estimates based on there being no material changes in present price levels, nor in present prison population.

The System will have no corn for the market, and will be fortunate if it has a sufficient supply for its needs until next year's crop.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, August 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following bill:

H. B. No. 34, A bill to be entitled "An Act to amend Articles 4930 and 4935, Chapter 13, Title 71, of the Revised Civil Statutes of Texas, 1911, so as to provide that the deposits thereby required or therein referred to shall be for the benefit of the holders of all the obligations of the depositor where-soever incurred, and to repeal all laws in conflict herewith, and declaring an emergency."

Respectfully submitted,
CARL PHINNEY,
Chief Clerk, House of Representatives.

Bill Read and Referred.

The Chair (Lieutenant Governor Davidson) had referred, after its caption had been read, the following House Bill:

H. B. No. 34, referred to Committee on Insurance and Banking.

Bills and Resolutions.

(By Unanimous Consent.)

By Senator Bledsoe:

S. B. No. 40, A bill to be entitled "An Act to amend Section 40 of Chapter 87, Acts of the Thirty-fifth Legislature, Regular Session and Section 40 thereof as amended by Chapter 13, Section 2, General Laws, Acts of the Thirty-seventh Legislature, and adding thereto new Sections 40a, 140 and 141, and 142, relating to organization and government of Water Improvement and Irrigation Districts; providing for the fixing of liens and the collection of taxes, and the protection of the water supply by such district; providing for the examination and approval of such Districts by the State Board of Water Engineers, and declaring an emergency."

Referred to Committee on Civil Jurisprudence.

By Senator Floyd:

S. B. No. 41, A bill to be entitled "An Act to fix and establish a legal rate for the publication of all proclamations, advertising, or notices of all kinds required by the law to be published in newspapers in this State for the State, counties or municipalities, or in any legal proceeding, providing for the filing by newspapers with the Board of Control at Austin, Texas, of

a sworn statement of their regular rate for advertising to be open to public inspection, repealing all laws or parts of laws in conflict herewith and declaring an emergency."

Read first time and referred to Committee on Public Printing.

By Senator Parr:

S. B. No. 42, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to lease Green Island, the group of islands known as Three Islands and North Bird Island and South Bird Island and the adjacent flats and reefs in Laguna Madre on the Texas Coast for a term not to exceed fifty years to the National Association of Audubon Societies for and in consideration of said Association undertaking to propagate, protect and conserve birds and bird life thereon; providing for the protection of birds and bird life thereon; providing punishment by fine and imprisonment for violation of this Act and declaring an emergency."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Rogers:

S. B. No. 43, A bill to be entitled "An Act to amend Art. 1531e, Chapter 16, Title 18 of the Penal Code, so as to provide that incorporated cities may permit obstruction of a street, not part of a designated State highway, by railway passenger trains for longer time than specified by law, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senator Willis:

S. B. No. 44, A bill to be entitled "An Act amending Art. 1121 of Revised Civil Statutes of the State of Texas, 1911, by the addition of sub-division 82, providing for the incorporation of establishments for the manufacture of ice and non-intoxicating beverages and in connection therewith the operation of a general storage business, and declaring an emergency."

Read first time and referred to Committee on Commerce and Manufacturing.

Here the Senate was at ease until 3:45 o'clock today.

The Senate was called to order by Lieutenant Governor Davidson.

Senate Bill No. 21.

(Considered by unanimous consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 21, A bill to be entitled "An Act to amend Chapter 145, General Laws of the State of Texas passed by the Thirty-sixth Legislature at its Regular Session, which chapter was 'An Act to amend Chapter 1, of Title 44, of the Revised Civil Statutes of the State of Texas, 1911, and to provide the manner in which State funds shall be kept and deposited; to define the State Depository Board and its powers, and what banks may become State Depositories, and the manner and means of selecting and for the qualification of such State depositories, providing for the distribution of such State funds among such depositories, repealing all laws in conflict, and declaring an emergency'; the effect of this amendment being to add to said chapter a new article to be known as Article 2435b, providing in substance that during the existence of any general financial or industrial depression prior to March 1, 1923, if it should be found by the State Depository Board that any State depository is not able to pay the drafts or demands made upon it by the State Treasurer in the ordinary operation of the State Depository Law without closing its doors and ceasing to exist as a going concern, though otherwise solvent, then the State Depository Board shall have the discretion and authority to extend the time for payment of the funds on deposit in such State depository into the Treasury from time to time; provided, however, that such extension shall not be made unless and until such depository and the sureties, if any, on its depository bond, execute a contract of extension or give bond or securities as in the first instance for such period of time as the State Depository Board may designate; the State depositories to which extension of time are granted under this Act shall not receive any additional funds on deposit from the State Treasury until the demands of the State Treasurer as to previous

existing funds have been met; and declaring an emergency."

The Senate rule, requiring committee reports to lie over for one day, was, on motion of Senator Page, suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Page, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 21 put on its third reading and final passage by the following vote:

Yeas—23.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Burkett.	Parr.
Darwin.	Richards.
Davidson.	Suiter.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Wood.
Floyd.	Woods.
Hertzberg.	

Absent.

Clark.	Hall.
Cousins.	Rogers.
Dorough.	Watts.

Absent—Excused.

Carlock.	Witt.
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The bill was read third time and passed finally, by the following vote:

Yeas—23.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Burkett.	Parr.
Darwin.	Richards.
Davidson.	Suiter.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Wood.
Floyd.	Woods.
Hertzberg.	

Absent.

Clark.	Hall.
Cousins.	Rogers.
Dorough.	Watts.

Absent—Excused.

Carlock.	Witt.
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Senate Bill No. 28.

The Chair, by unanimous consent,

laid before the Senate, on second reading.

S. B. No. 28, A bill to be entitled "An Act creating the McCauley County Line Independent School District in Fisher and Jones counties, Texas."

The Senate rule, requiring committee reports to lie over for one day, was suspended.

The committee report was adopted.

(Senator Richards in the Chair.)

The bill was read second time and passed to engrossment.

On motion of Senator Burkett, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 28 put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	Lewis.
Baugh.	Murphy.
Bledsoe.	McMillin.
Buchanan.	Page.
Burkett.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Doyle.	Suiter.
Dudley.	Watts.
Fairchild.	Williams.
Floyd.	Willis.
Hall.	Wood.
Hertzberg.	Woods.

Absent.

Clark.	Dorough.
Cousins.	

Absent—Excused.

Carlock.	Witt.
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The bill was read third time and passed finally, by the following vote:

Yeas—27.

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Burkett.	Parr.
Cousins.	Richards.
Darwin.	Rogers.
Davidson.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Carlock.	Witt.
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Absent—Excused.

Clark.	Dorough.
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(Lieutenant Governor Davidson in Chair.)

Message from the Governor.

Governor's Office.

Austin, Texas, Aug. 2, 1921.

To the Senate and House of Representatives.

Gentlemen: I submit to you for your consideration and legislative action the following subjects dealing with local matters:

First. The creation of the Sacul Independent School District in Nacogdoches County, Texas; defining its boundaries; vesting plenary control, duties and authority in said district and board of trustees, as now conferred by the General Laws; and extending the boundaries.

Second. The creation of the Jacksonville Independent School District, in Cherokee County, Texas; defining its boundaries, including the present Jacksonville Independent School District; providing for a board of trustees; conferring upon said district and trustees duties and authority imposed by the General Laws; validating a \$45,000 bond issue heretofore voted; and repealing conflicting laws.

Third. The amending of Section 1, Chapter 2, General and Special Laws, First Called Session, Thirty-fifth Legislature; defining boundaries; and validating the present maintenance school tax in said territory, and re-defining boundaries of the Columbus Independent School District.

Fourth. The amendment of Chapter 32, General Laws, Regular Session, Thirty-seventh Legislature, so as to include Briscoe County in the list of counties that may adopt the law to prevent cattle and other stock from running at large.

Fifth. The repeal of Chapter 26, Special and Local Laws, Regular Session, Thirty-seventh Legislature, creating the Palestine Independent School District in Anderson County; defining its boundaries; providing

for board of trustees; vesting title to school property to said trustees and their successors within said district; for exercising duties and authority conferred by law upon independent school districts, validating and continuing in force maintenance tax in said district until changed by law; and repealing conflicting laws.

Sixth. The amendment of Chapter 57, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, and amendment of Chapter 3, Local and Special Laws, Regular Session, Thirty-seventh Legislature, creating and incorporating the Blythe County Line Independent School District out of territory in Gaines, Terry and Yoakum counties; defining its boundaries; providing for a board of trustees; defining their duties and authority; and authorizing them to levy, assess and collect taxes; providing for a board of equalization; assumption of outstanding indebtedness of Common School District No. 10; for title to vest in said Blythe District; and issuance and sale of bonds, and taxes levied, assessed and collected therefor.

Seventh. The addition to and making a part of the Premont Independent School District in Jim Wells County, Texas, certain defined territory; exempting the added territory from bonded indebtedness of said Premont District; giving board of trustees of said Premont District jurisdiction over lands and property of the said added territory; validating incorporation proceedings and bonded indebtedness of said Premont District; and providing for the assessment and collection of taxes.

Eighth. The creation of the El-Carro Independent School District in Jim Wells County, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; for assessment and collection of taxes, issuance of bonds, and providing for a sinking fund; and empowering said trustees to purchase school sites, erect, equip and maintain school buildings in said district.

Ninth. The creation of the Petronila Common School District No. 7, Nueces County, Texas; defining its

boundaries; pro rating indebtedness against Robstown Independent School District; providing for assumption by said Petronila District of indebtedness pro rated against portion of said district formerly belonging to the said Robstown District; for issuance of bonds and levy of tax; and providing for levy of maintenance tax.

Tenth. The amendment of Section No. 1, Chapter 62, Local and Special Laws, Regular Session, Thirty-seventh Legislature, being H. B. No. 575, re-defining the boundaries of O'Donnell Independent School District in Lynn and Dawson counties in the State of Texas.

Eleventh. The amendment of Section No. 1, Chapter 33, Local and Special Laws of Texas, known as Senate Bill No. 44, enacted by the Thirty-sixth Legislature, Third Called Session, and approved June 15, 1920, increasing the limits of Bertram Independent School District; amendment revising, diminishing and re-establishing boundaries; and repealing conflicting laws.

Twelfth. The amendment of Section No. 1, Chapter 65, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, being an Act creating the Eden Independent School District in Concho County, Texas.

Thirteenth. The repeal of Chapter 102, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, being an Act creating the Concho Independent School District in Concho County, Texas.

Fourteenth. The creation of Common School Districts Nos. 8 and 15, in Dickens County, Texas; re-defining its boundaries; providing for maintaining in force taxes on any of the lands of Common School District No. 1 incorporated in said Districts 8 and 15; providing for a board of trustees; and for exercise of duties and authority imposed by law.

Fifteenth. The amendment of Chapter 15, pages 30 and 31, Regular Session, Thirty-seventh Legislature, by correcting time and terms of holding court in the Sixty-third Judicial District.

Sixteenth. The amendment of

Chapter 9, General Laws, Fourth Called Session, Thirty-fifth Legislature, fixing time of holding court in the Seventy-second Judicial District so as to make provision for Hockley County.

Seventeenth. The repeal of Section 2, Chapter 48, Laws of the Thirty-fourth Legislature, relating to the time of holding court in counties in the Seventy-ninth Judicial District; and prescribing the time and fixing the terms of holding court in said district.

Eighteenth. To diminish the civil and criminal jurisdiction of the County Court of Reagan County, Texas; to conform the jurisdiction of the District Court thereto, and repeal conflicting laws.

Nineteenth. The creation of a more efficient road system for Tyler County, Texas; providing for commissioners, inspection of roads, culverts and bridges; for bonds, compensation and duties; for work of delinquent tax payers, and accepting certain compensation in lieu of work; conferring upon commissioners' court certain duties and authority; providing penalty for violation of the Act; for the Act to be cumulative of all General Laws not in conflict; and repealing Chapter 82; Special Laws, Thirty-second Legislature.

Twentieth. The creation of the Ben Bolt Independent School District in Jim Wells and Kleberg Counties, Texas; defining its boundaries; vesting it with the duties and authority of districts incorporated for school purposes only, under the General Laws; and providing for a board of trustees.

Twenty-first. Defining the boundaries of the Alice Independent School District in Jim Wells County, Texas, as heretofore created and as amended and confirmed by S. B. No. 77, Chapter 44, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, page 142, giving board of trustees of said district jurisdiction over lands and property of the inhabitants thereof; providing for assessing and collecting taxes.

Twenty-second. The creation of the Wilson Independent School District in Cameron County, Texas; defining its boundaries; providing for

a board of trustees; for the selection of officers and committees; for said district to exercise the duties and authority imposed by law upon independent school districts, for free school purposes only; for validating the present tax so as to apply legally to the new district as it now applies to the Common School District No. 4.

Twenty-third. The creation of the Detroit Independent School District in Red River County, Texas; defining its boundaries; providing for a board of trustees; conferring upon said district and trustees all the duties and authority imposed by law upon independent school districts; and providing for present trustees to continue in office till expiration of their respective terms.

Twenty-fourth. The creation of the Marfa Independent School District in Presidio County, Texas; defining its boundaries; providing for a board of trustees; conferring on them all duties and authority imposed by law upon independent school districts and boards of trustees; providing for the levying, assessing and collecting of taxes; for the issuance and sale of bonds and for taxes thereon; and repealing conflicting laws.

Twenty-fifth. The amendment of Sections 1 and 8, Chapter 39, Special Laws, Regular Session, Thirty-seventh Legislature, creating the Hale Center Independent School District of Hale County, Texas, correcting boundaries, and, providing for transportation for certain children within said district.

Twenty-sixth. The creation of the Nocona Independent School District of Montague County, Texas; defining its boundaries; providing for a board of trustees, and conferring on them all the duties and authority by law imposed on independent school districts and boards of trustees; for retention of present trustees till expiration of their respective terms of office; providing for levying, assessing and collecting of taxes; for issuance and sale of bonds, and for taxes thereon; validating and continuing in force taxes heretofore voted; and for the repeal of conflicting laws.

Twenty-seventh. The amendment of the law creating the Sodville Independent School District, in San Patricio County, Texas, so as to recover certain land formerly belonging to said Sodville District, from the Odem Independent School District, defining its boundaries; providing for a board of trustees and conferring upon them all the duties and authority imposed by law; for the retention of the present trustees till expiration of terms of office; and repealing conflicting laws.

Respectfully submitted,
PAT M. NEFF,
Governor.

Bills and Resolutions.

(By Unanimous Consent.)

By Senator Williams:

S. B. No. 45, A bill to be entitled "An Act creating the Nacona Independent School District in Montague County."

Read first time and referred to Committee on Educational Affairs.

By Senator Watts:

S. B. No. 47, A bill to be entitled "An Act to authorize the State Fire Insurance Commission to transfer all unexpended balances in the various items of the appropriation made by the Third Called Session of the Thirty-sixth Legislature, Chapter 51, page 93 of the printed Acts, to the first item designated 'stationery and printing supplies' so that such unexpended balance in the various items contained in the appropriation may be utilized for expenditures for securing stationery and printing supplies."

Read first time and referred to Committee on Printing.

By Senators Parr and Baugh:

S. B. No. 46, A bill to be entitled "An Act to amend Section 2 and Section 10, Chapter 18 of the General Laws of the Thirty-seventh Legislature, approved February 28, 1921, and to add a new Section thereto to be known as Section 6a, providing for the construction, maintenance and operation of the American Legion Memorial Sanitorium of Texas and the leasing of same to the Federal Government, and declaring an emergency."

Read first time and referred to Committee on Public Health.

Senate Bill No. 42.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 42 put on its second reading by the following vote:

Yeas—24.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Page.
Clark.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Wood.

Absent.

Burkett.	Murphy.
Cousins.	Woods.
Hall.	

Absent—Excused.

Carlock.	Witt.
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The Chair laid before the Senate on second reading,

S. B. No. 42. (See Bills and Resolutions for caption).

The Senate rule requiring committee reports to lie over for one day was suspended.

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 42 put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Page.
Clark.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Wood.

Absent.

Burkett. Murphy.
Cousins. Woods.
Hall.

Absent—Excused.

Carlock. Witt.

The bill was read third time and passed finally, by the following vote:

Yeas—24.

Bailey.	Hertzberg.
Baugh.	Lewis.
Bledsoe.	McMillin.
Buchanan.	Page.
Clark.	Parr.
Darwin.	Richards.
Davidson.	Rogers.
Dorough.	Suiter.
Doyle.	Watts.
Dudley.	Williams.
Fairchild.	Willis.
Floyd.	Wood.

Absent.

Carlock. Murphy.
Cousins. Witt.
Hall.

Absent—Excused.

Burkett. Woods.

Simple Resolution No. 32.

Whereas, The Senate of Texas has learned of the death of Raymond E. Witt, a brother of Senator Edgar E. Witt, of McLennan County; therefore be it

Resolved, That the Senate of Texas hereby extends to Senator Witt its sincere condolence in the passing of his brother, and does assure him of its heartfelt sympathy in his bereavement.

Lynch Davidson, Bailey, Bledsoe, Buchanan, Burkett, Clark, Cousins, Darwin, Dorough, Doyle, Fairchild, Floyd, Hall, Lewis, McMillin, Parr, Richards, Suiter, Watts, Williams, Wood, Hertzberg, Davidson, Woods, Willis, Page, Baugh, Rogers, Murphy, Dudley.

The above resolution was read and unanimously adopted by a rising vote.

Resolutions Signed by Chair.

The Chair, Lieutenant Governor Davidson, gave notice of signing, and did sign, in the presence of the Senate, the following House Resolutions:

H. C. R. No. 12, Inviting Hon. Henry C. Wallace, Secretary of Agriculture of the United States, to address the Legislature.

H. C. R. No. 8, Reference to disarmament.

S. C. R. No. 4, A resolution relating to killing of two convicts by guards.

S. C. R. No. 2, Relating to State Iron Industry at Rusk, Texas.

Adjournment.

On motion of Senator Clark the Senate, at 5:05 p. m. adjourned until 10 o'clock tomorrow morning.

APPENDIX.**Committee Reports.**

Committee Room,
Austin, Texas, August 2, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred Senate Bill No. 23,

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,
Austin, Texas, August 2, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred Senate Bill No. 36,

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

DOROUGH, Chairman.

Committee Room,
Austin, Texas, Aug. 2, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 21, carefully compared and find same to be correctly engrossed.

FLOYD, Vice Chairman.

Committee Room,
Austin, Texas, Aug. 2, 1921.
Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill

No. 32 carefully compared and find some to be correctly engrossed.

DOYLE, Chairman.

Committee Room,
Austin, Texas, Aug. 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 26 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,
Austin, Texas, Aug. 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 30 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,
Austin, Texas, Aug. 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 33 carefully compared and find same to be correctly engrossed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Aug. 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 17 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

Committee Room,
Austin, Texas, August 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had Senate Bill No. 8 carefully compared and find same to be correctly engrossed.

DOYLE, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, Aug. 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Senatorial Districts to whom was referred

H. B. No. 8, A bill to be entitled "An Act to amend Articles 24 and 25, Revised Civil Statutes of Texas, 1911, apportioning the State of Texas into Senatorial Districts; declaring what counties shall constitute each Senatorial District; providing for returns of elections; repealing all laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, report it back to the Senate with the recommendation that it do not pass, but that the committee substitute herewith submitted do pass.

SUITER, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Aug. 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, a minority of your Committee on Senatorial Districts, to whom was referred House Bill No. 8, having had same under consideration, recommend that neither said bill nor the committee substitute do pass.

CLARK.

FLOYD.

Committee Room,
Austin, Texas, Aug. 1, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 28, A bill to be entitled "An Act creating the McCauley County Line Independent School District in Fisher and Jones Counties, Texas; defining its boundaries, including the present McCauley Independent School District; providing for a board of trustees in said district, conferring upon said district, and its board of trustees, all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the boards of trustees thereof; providing that the present board of trustees continue in office until the expiration of their respective terms; providing that any outstanding bonded indebtedness heretofore voted

upon any territory included within the bounds of said district as herein created shall remain chargeable against the territory which voted same; provided that the district as herein created may assume such outstanding bonded indebtedness at an election for that purpose; repealing all laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

HERTZBERG, Vice Chairman.

Committee Room,

Austin, Texas, Aug. 1, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 32, A bill to be entitled "An Act creating the Tehuacana Independent School District, in Limestone County, Texas, defining its boundaries; providing for a Board of Trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of the State upon Independent School Districts and the boards of trustees thereof; providing for the election of trustees, and their title and rights to school property; providing for changes in the boundary lines of said district; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect; providing for the raising of revenue, issuing bonds, building and maintaining school houses, and organizing and maintaining a high school, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

HERTZBERG, Vice Chairman

Committee Room,

Austin, Texas, Aug. 1, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 33, A bill to be entitled "An Act creating the Mexia Independent School District in Limestone County, Texas; defining its boundaries; divesting the City of Mexia of the control of its public schools and of its school property and vesting the same in said Independent School District and its board of trustees; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof; authorizing the board of trustees of said district to employ the city assessor and collector of the city of Mexia to assess and collect any and all taxes that may be levied in said district; providing for changes in the boundary lines of said district; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect; validating a bond election heretofore held within and for the Mexia Independent School District; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

HERTZBERG, Vice Chairman.

Committee Room,

Austin, Texas, Aug. 1, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 30, A bill to be entitled "An Act to amend Section 1 of Chapter 2, General and Special Laws of the First Called Session of the Thirty-fifth Legislature, re-defining the boundaries of the Columbus Independent School District; the said amendment providing for the extension of said district and the annexa-

tion of adjacent territory thereto; and providing that the maintenance school tax now being levied, assessed and collected in said district as same existed immediately prior to the passage of this Act, shall not be abrogated by the passage of same; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

HERTZBERG, Vice Chairman.

Committee Room.

Austin, Texas, Aug. 1, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 31, A bill to be entitled "An Act creating the Altair Independent School District in Colorado County, Texas, and defining its boundaries, and providing for the election of a board of trustees to manage and control the public free schools within said district, naming the fiscal year as to taxes, investing said district with all the powers, rights, and duties of independent school districts formed for free school purposes only, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

HERTZBERG, Vice Chairman.

Committee Room.

Austin, Texas, August 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 13, A bill to be entitled "An Act amending Section 5 of an Act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act relating to the protection of wild geese, birds,' etc., and requiring a license for the purpose of hunting, being H. B. No. 457, Chapter 157, of said Regular Session Laws and to repeal all laws in conflict herewith, and declaring an emergency,"

Have had the same under considera-

tion, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

HERTZBERG, Chairman.

Committee Room,

Austin, Texas, August 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred

S. B. No. 15, A bill to be entitled "An Act to prevent the introduction into the State of Texas of the destructive cotton pest, *Pectinophora gossypiella*, Saunders, known as and hereinafter referred to as the pink bollworm and to control and eradicate such insect pest when and where discovered in this State; defining the pink bollworm and defining cotton or cotton products, declaring the policy of the State in its efforts to control and eradicate the pink bollworm; providing for the supervision of the planting and growing of cotton or the prevention of the growing of cotton near the Texas border adjacent to infestation of the pink bollworm without the State of Texas; authorizing the Governor to issue quarantine proclamation against cotton products and other things liable to carry the pink bollworm, originating in infested areas outside the State of Texas; providing for emergency quarantine against cotton or cotton products contaminated or infested with such pests; providing for the destruction of cotton, cotton products or cotton fields infested or contaminated with pink bollworm and for the appraisal and payment for such destruction; providing for the supervision of the growing of cotton or the prevention of the planting of cotton in areas within this State infested or contaminated with pink bollworm; providing for the payment by the State of damages to persons prevented from producing cotton and defining the method of adjusting such claims as may arise; providing for the appointment of a Compensation Claim Board and defining its duties; providing for the appointment of a Pink Bollworm Commission and defining its duties; providing for the inspecting of cotton and cotton products; making it the duty of the Commissioner of Agriculture to make adequate investigation to

determine the presence of the pink bollworm within this State and giving him authority to employ inspectors and other assistants; providing a penalty for the violations of the provisions of this Act; fixing the venue in all cases arising under the provisions of this Act; making it the duty of the Commissioner of Agriculture to co-operate with the Secretary of Agriculture of the United States in any measure authorized and to be undertaken to prevent the introduction of the pink bollworm into Texas; making an appropriation; repealing all laws in conflict with this Act; providing for the continuation of such measures for control and eradication of the pink bollworm as are in force when this law becomes effective, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,

Austin, Texas, August 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

S. B. No. 39, A bill to be entitled "An Act to prescribe and fix the terms of holding the district courts in the counties comprising the Seventy-ninth Judicial District of Texas; and to conform all writs and process from such courts to such changes and to make all process issued or served before this Act takes effect, including recognizances and bonds, returnable to the terms of courts in said District as herein fixed and to validate the summoning of grand and petit jurors therein; to repeal Section 2 of Chapter 48 of the Laws of the Thirty-fourth Legislature passed and approved March 12, 1915, relating to the time of holding district courts in said District and repealing Chapter 8 of the Laws of the Thirty-seventh Legislature passed and approved February 2, 1921, relating to the time of holding courts in said District and repealing all laws in conflict with this Act and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

RICHARDS, Chairman.

Committee Room,

Austin, Texas, August 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Insurance and Banking, to whom was referred S. B. No. 21,

Have carefully considered the same and I am ordered to report it back to the Senate with the recommendation that it do pass, and be not printed.

PAGE, Chairman.

Senate Chamber,

Austin, Texas, August 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Senatorial Districts, having had under consideration

S. B. No. 10, A bill to be entitled "An Act to apportion the State of Texas in Senatorial Districts; to specify the counties to which the returns of an election should be made, on which the County Judge shall issue certificate of election; and repealing all laws in conflict herewith,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

SUITER, Chairman.

Senate Chamber,

Austin, Texas, August 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Senatorial Districts, having had under consideration

S. B. No. 7, A bill to be entitled "An Act to apportion the State of Texas in Senatorial Districts; to specify the counties to which the returns of an election should be sent, on which the County Judge shall issue certificate of election; and repealing all laws in conflict herewith,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

SUITER, Chairman.

Senate Chamber,

Austin, Texas, August 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 29, A bill to be entitled "An Act abolishing the State Mining Board of the State of Texas and con-

ferring its authority, powers, duties and functions of each and all members thereof upon the Commissioner of Labor Statistics of the State of Texas," etc.,

Have had the same under consideration, and I am directed by the Committee to report same back to the Senate with the recommendation that it do not pass.

DOROUGH, Chairman.

Committee Room,

Austin, Texas, August 2, 1921.

Hon: Lynch Davidson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 16, A bill to be entitled "An Act to amend Section 16 of Chapter 190, of the General Laws of the Regular Session of the Thirty-fifth Legislature as amended by Section 2 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature and as amended by Section 1, Chapter 113, of the General Laws of the Regular Session of the Thirty-sixth Legislature and as amended by Chapter 131 of the General Laws of the Thirty-seventh Legislature; providing for and increasing the annual license fee on commercial motor vehicles; providing for applications for registration, how and when said applications shall be made; defining a commercial motor vehicle, naming a net carrying capacity of such vehicles, and the annual license fees to be charged in each instance;" etc.

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

HERTZBERG, Chairman.

Committee Room,

Austin, Texas, August 2, 1921.

Hon. Lynch Davidson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 42. A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to lease Green Island, the group of islands known as Three Islands and North Bird Island and South Bird Island and the adjacent flats and reefs in Laguna Madre on the Texas coast for a term not to exceed fifty years to the

National Association of Audubon Societies for and in consideration of said Association undertaking to propagate, protect and conserve birds and bird life thereon; providing for the protection of birds and bird life thereon; providing punishment by fine and imprisonment for violation of this Act, and declaring an emergency,"

Have had same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

DAVIDSON, Chairman.

Petitions and Memorials.

Senator Buchanan offered and had read a resolution adopted at a union service of all churches of Rogers, Texas, urging adoption of effective law for the removal of officers who fail to do their duty.

Also a communication from Temple citizens, endorsing the general policies of Governor Neff in reducing State expenditures, but deploring action of Legislature in attempt to reduce salaries of State University professors.

Senator Floyd offered and had read a telegram from Mt. Pleasant signed by district trustees of Titus County, urging legislation adopting measures providing for aid for rural schools.

Also a resolution adopted by members of McKenzie Memorial Methodist Episcopal Church of Clarksville, urging the Legislature to support and use influence for the law enforcement measures introduced, for the removal of officers who fail or refuse to do their duty.

The Chair, Lieutenant Governor Davidson, offered and had read a resolution from the Producers Protective League, of Houston, urging Legislature to do all in its power in granting additional time for Tick Eradication Law to become effective in Zone 3.

Also one adopted by same league endorsing policies of Governor Neff and urging Legislature to vote for all measures advocated by the Governor.

Also a resolution adopted at a meeting of Ex-Students Association of Livingston, Texas, commending majority of Finance Committee for Educational Appropriation Bill, and

protesting against action of lower house in cutting this appropriation as regards salaries of University professors.

Also a telegram from El Paso, signed J. H. Simmas, urging appointment of Free Conference Committee members to be in sympathy with Senator Dudley's recommendations for educational appropriations.

Also a communication from Producers Protective League opposing City of Houston transferring to Harris County the Deep Water Board Bonds, and urging that no such measure be submitted.

THIRTEENTH DAY.

Senate Chamber.

Austin, Texas.

Wednesday, August 3, 1921.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Lynch Davidson.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Lewis.
Baugh.	McMillin.
Bledsoe.	Murphy.
Buchanan.	Page.
Burkett.	Parr.
Clark.	Richards.
Darwin.	Rogers.
Davidson.	Sulter.
Dorough.	Watts.
Doyle.	Williams.
Dudley.	Willis.
Fairchild.	Witt.
Floyd.	Wood.
Hall.	Woods.
Hertzberg.	

Absent.

Cousins.

Absent—Excused.

Carlock.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Watts.

See Appendix for Standing Committee reports and Petitions and Memorials.

Communication from Regents of U. of T.

The following communication from

the Board of Regents of the University of Texas was read to the Senate and at the conclusion of the reading Senator Murphy moved that the communication be printed in the Journal, which motion was adopted.

The University of Texas.

Office of the President.

Austin, Texas, August 2, 1921.

Hon. Lynch Davidson, President of the Senate, Thirty-seventh Legislature, Austin, Texas.

Dear Sir: In accordance with the instructions of the Board of Regents I am handing you herewith a statement prepared by the Board of Regents at its meeting on Monday, August 1 to be conveyed to the Governor and to the Honorable Senate and House of Representatives of the Thirty-seventh Legislature.

Very cordially yours,

ROBERT E. VINSON,
President.

"The Board of Regents of the University of Texas met in called session on Monday, August 1, in order to consider the conditions which have arisen in view of the emergencies which now confront the State and the necessity for retrenchment and economy in the operation not only of the affairs of the University but of all departments of the State Government. This Board finds itself in complete accord with the sentiments expressed in the two houses of the Legislature, as these have been gathered from the press, upon the subject of economy, and is willing to enter into any arrangement which may tend not to increase the burden of taxation now being borne by the people of this State, and which at the same time will not destroy the morale of the University of Texas nor decrease the quality of the service which it is rendering to the State.

"We are also heartily in accord with the efforts being made to reduce expenses in other departments of the State Government, if necessary, in order that appropriations of adequate size may be made for the maintenance of the rural schools and other parts of the public school system of the State.

"In addition to this, the Board desires to direct attention to the fact that at practically every meeting of this Board, whose personnel has been largely changed several times during